

Officer Decision Record – Executive Decision

If Key Decision: Decision Ref. No.

B091 /23

If not a Key Decision write n/a above

OFFICER DECISION RECORD ⁱ

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

Subject:

HCC2315436 - Proposed Contract Arrangements for Agency Staff with effect from January 2024.

Type of Decision: Executive

Key Decision (Executive Functions only): Yes

Executive Member/Committee Chairman:

Tony Kingsbury

Portfolio (Executive Functions only):

Adult Care, Health & Wellbeing

Officer Contact: Steven Lee-Foster (Operations Director Community & Specialist Services)

Tel: 01992 555748

1. Decision

To enter into a contract for the provision of hard to recruit social care agency staff from January 2024, to supplement the corporate agency contract. The contract will have an expiry date of the 31 March 2025.

- 1.1 That the Ops Director Comm & Specialist Services has determined that Annex A to this Decision Record should not be disclosed to the public as it contains exempt information as defined by Section 100 of the Local Government Act 1972, Schedule 12A, the public interest in maintaining the exemption outweighing the public interest in disclosing that information.
- 1.2 Subject to 1.1 above, awards the proposed contract arrangements for agency staff as set out in Annex A and approves the signing of the contract.

2. Reasons for the decision

- 2.1 Following the relevant guidance from legal as well as SPG a decision to procure using a single tender action was identified as the best option to the Council as the services are urgently required at the point that they are commissioned and can be supplied only by this economic operator as competition was absent for technical reasons. This supplier would be able to provide the Council with social care professionals that are appropriately skilled and qualified to meet statutory and regulatory requirements as well as the demands of the HCC.
- 2.2 Providing a reliable source of social care agency staff in particularly difficult to recruit locations, would improve consistency for service users and permanent staff.
- 2.3 The supplier identified in Annex A was the only provider that could allocate and place staff urgently into care setting with Hertfordshire County Council boundaries.

3. Alternative options considered and rejected

Other procurement exercises were considered, but concluded as not possible as they would significantly increase the length of time it would take to complete a procurement for this short-term contract.

However, aligning the length of this contract to the corporate agency supply contract would mean that the services provided by this provider would form part of the specification for a new procurement post March 2025.

4. Consultation (see Summary of Requirements below)

Was any Councillor consulted? No

If yes:

- (a) Comments of Executive Member/Committee Chairman
N/A

- (b) Comments of other consultees
N/A

5. Any conflict of interest declared by a councillor who has been consulted in relation to the decision

N/A

(If a Councillor declares a conflict of interest DO NOT PROCEED without seeking advice from Democratic Services or Legal Services).

6. I am proceeding with the proposed decision.

Signed: Steven Lee-Foster

Title:, Operations Director for Community & Specialist Services

Date: 21.12.2023

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.ⁱⁱ

Summary of Requirements to Inform/Consult Councillors

Significance of Proposed Action	Controversial	Relevant Councillor(s) to be Consulted
Technical/Professional/ Routine	No	No need to inform or consult councillors
Technical/Professional/ Routine	Yes	Executive Functions: Consult relevant Lead Executive Member and, where appropriate, Local Councillor Non-Executive Functions: Relevant Committee Chairman and, where appropriate, Local Councillor
Local	No	Executive Functions:

		Inform Lead Executive Member and Local Councillor Non-Executive Functions: Inform Local Councillor
Local	Yes	Executive Functions: Consult Lead Executive Member and Local Councillor Non-Executive Functions: Consult Local Councillor
General or County-wide	No	Executive Functions: Consult relevant Lead Executive Member (s) Non-Executive Functions: Consult relevant Committee Chairman
General or County-wide	Yes	Executive Functions: Consult relevant Lead Executive Member (s) and the Leader of the Council Non-Executive Functions: Consult relevant Committee Chairman/Leaders all Political Groups